	Application No.	Applicant(s)
Notice of Allowability	09/773,550	NAKANO ET AL.
	Examiner	Art Unit	
	LINH BLACK	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *6/11/07*.

2. ☒ The allowed claim(s) is/are *9 and 5 (renumbered 1-2)*.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some*   c) ☐ None   of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DON WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Reasons for allowance

1. The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach the combination of limitations in the independent claim 9, especially, a retrieval server, a retrieval database storing data of genres of handled merchandises and service providing areas of registered shops...wherein said retrieval server of said retrieval site is configured to retrieve shops whose genres of handled merchandises from said retrieval database correspond to a desired merchandise genre entered at an information terminal connected to said retrieval site and whose service providing AREA from said retrieval database includes a destination entered at the information terminal connected to said retrieval site, and is configured to display a map image on which the destination and retrieval shops are respectively indicated with landmarks, ...shop site of the selected shop. (fig. 3)

Cupps et al. teach Geocode Database and procedure – items 130 and 142 of fig. 1; restaurant table 160 – col. 5, line 37; a company table 192, col. 5, line 192 (equivalent to service providing <u>areas of registered shops</u>); "When searching for a matching vendor, the geocode procedure 142 determines the appropriate sub-grid identifier associated with the customer's location. For example, customer X can be associated with the geocode 09456, 2943A. The online order procedure 132 then searches for those vendors servicing child grid A associated with parent grid 09456, 12943. In the above example, that would encompass searching for all the odd values: 1, 3, 5, 7, 9, 11, 13, and 15. " – col. 7, line 66 to col. 8, line 6; the order database

includes a food group table – col. 5, line 65; a category table, col. 6, line 5 (equivalent

to genres of merchandises). All of the components above are stored within the

memory 118 within the online ordering machine 106. The online ordering machine can

be any type of computing device – col. 4, lines 17-23 (a server). The online order

machine (a retrieval server) is in communication with one or more vendors …the

communications link can be a network such as the Internet – col. 3, lines 54-62.

Orders are transmitted to the vendors – col. 8, lines 19-40; Cupps et al. teach: "The

online ordering machine categorizes the location of each participating restaurant by a

set of longitude and latitude coordinates. Each customer's delivery location is also

categorized by a set of longitude and latitude coordinates. The online ordering

machine searches for those restaurants whose delivery area lies within the customer's

location based on the restaurant's and customer's longitude and latitude coordinates.

Likewise, the online ordering machine searches for those restaurants having takeout

service within the customer's location based on the restaurant's and customer's

longitude and latitude coordinates" – col. 2, lines 50-61 (takeout service is one of the

genres of handled merchandises and service).

The Mircrosoft Computer Dictionary Fourth Edition defined server as "On the

Internet or other networks, a computer or program that responds to commands from a

client. For example, a file server may contain an archive of data or program files; when

a client submits a request for a file, the server transfers a copy of the file to the client."

In addition, figure 3 of the Applicants shows "a shop site" as a "fast-food delivery site".

The examiner interprets a shop site is a vendor/restaurant site with a computer or

program that responds to communication from the ordering machine 106 in which

orders are initiated by the client 102.

Cupps et al. do not explicitly disclose a merchandise information database

storing service request data of the shops. The examiner finds that it is not novel in the

art that a business or a restaurant or a vendor's system or site to have its own database

for storing service requests data. Herman et al. teach merchant site with merchant web

server and merchant's database – fig. 19; a merchandise information database storing

service request data of the shops – col. 43, lines 4-67 (The merchant web server

accepts orders and records the transaction on the merchant's database).

Cupps and Herman et al. do not explicitly suggest said retrieval server configured to

display a map image on which the destination and retrieved shops are respectively

indicated with landmarks, and after a shop is configured to be selected based on the

map image, the information terminal is configured to connect to said shop site of the

selected shop. Shrimakawa et al. teach display a map image on which the destination

and retrieved shops are respectively indicated with landmarks – fig. 7: current location,

and other nearby restaurants; ...the user operates the terminal unit to designate a

restaurant on the displayed map, and then the server traces the established link of the

HTML document to display more detailed information about the restaurant selected by

the user as shown in fig. 8 – col. 7, lines 30-41. However, Cupps et al. disclose a

memory 118 which stores features such as categories of food and services and

locations of shops/restaurants but Cupps et al. do not disclose a database that stores

those features. In addition, Cupps, Herman, and Shrimakawa et al. do not teach "...the

information terminal is configured to connect to said shop site of the selected

shop....said map database site.

2. The dependent claim 5 incorporates the listed limitations by reference and contains

limitations that further distinguish over the art of record. For these reasons, claim 5

is considered allowable over the art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to LINH BLACK whose telephone number is 571-272-

4106. The examiner can normally be reached on Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the

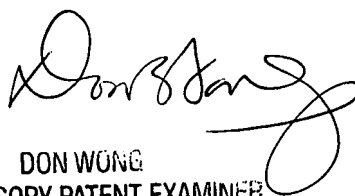organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LINH BLACK
Examiner
Art Unit 2163

June 21, 2007

DON WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100